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REGION 5

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

'99 JUN 16 P2:49

IN THE MATTER OF:)
)
Chrysler Corporation,) Docket No. CAA-5-98-031
n/k/a DaimlerChrysler)
Corporation,) Proceeding to Assess an
Auburn Hills, Michigan,) Administrative Penalty
) under Section 113(d) of the
) Clean Air Act,
) 42 U.S.C. § 7413(d)
Respondent.)

Consent Agreement and Consent Order

1. Complainant, the Director of the Air and Radiation Division, United States Environmental Protection Agency ("U.S. EPA"), Region 5, brought this administrative proceeding for the assessment of a civil penalty pursuant to Section 113(d) of the Clean Air Act ("Act"), 42 U.S.C. § 7413(d), by filing an Administrative Complaint ("Complaint") against Respondent Chrysler Corporation, n/k/a DaimlerChrysler Corporation ("DaimlerChrysler").

Preliminary Statement

2. Complainant alleged in the Complaint that DaimlerChrysler violated Section 608 of the Act, 42 U.S.C. § 7671g, and the regulations establishing standards and requirements regarding the use and disposal of class I and class II substances during service, repair, or disposal of appliances and industrial process refrigeration, 40 C.F.R. Part 82, Subpart

7. Respondent certifies that it is in full compliance with the requirements of 40 C.F.R. Part 82 at its Auburn Hills, Michigan facility.

8. Respondent and Complainant consent to the terms of this CACO.

9. In consideration of the good faith and cooperation of the Respondent, the fact that Respondent had purchased a back-up recovery unit before U.S. EPA issued the complaint, and the likelihood that no HCFC-22 was released during the purging of the non-condensable gases, Complainant agrees to mitigate the proposed penalty of \$14,000 to \$7,100.

10. Respondent shall pay the civil penalty of \$7,100 by cashier's or certified check payable to the "Treasurer, United States of America," not later than 30 days after the effective date of this CACO.

11. Respondent shall send the payment to:

U.S. Environmental Protection Agency
Region 5
P.O. Box 70753
Chicago, Illinois 60673

12. A transmittal letter, indicating Respondent's name, complete address, the case docket number and the billing document number must accompany the payment. Respondent shall write the case docket number and the billing document number on the face of the check. Respondent shall send copies of the check and transmittal letter to:

CONSENT AGREEMENT AND CONSENT ORDER
DaimlerChrysler Corporation
Docket No. CAA-5-98-031

DaimlerChrysler Corporation, Respondent

Date: _____

6/1/99

By: _____

Michael W. Davis, Esq. Staff Counsel

Consent Order

It is ordered as agreed to by the parties and as stated in the Consent Agreement, effective immediately upon filing of this CACO with the Regional Hearing Clerk. This Order disposes of the matter pursuant to 40 C.F.R. § 22.18(c).

Date: _____

6/11/99

Francis X. Lyons

Francis X. Lyons
Regional Administrator
U.S. Environmental Protection
Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Docket No: CAA-5-98-031

CERTIFICATE OF FILING AND MAILING

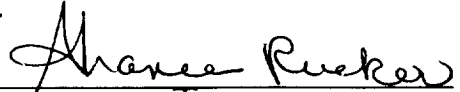
I, Shanee Rucker, do hereby certify that the original of the foregoing Consent Agreement and Consent Order (CACO), was sent to Chrysler Corporation, was filed the Regional Hearing Clerk, Region 5, United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604, and that a second original of the CACO was sent Certified mail, Return Receipt Requested, to:

Victor Bolterstein, Environmental Manager
Chrysler Corporation
n/k/a Daimler Chrysler Corporation
800 Chrysler Drive East
Auburn Hills, Michigan 48326

I also certify that copies of the CACO were sent by First Class Mail to:

Barbara Rosenbaum, Compliance and
Enforcement Section Supervisor
Michigan Department of Environmental Quality
Air Quality Division
P.O. Box 30260
Lansing, Michigan 48909

on the 16 day of June 1999.


Shanee Rucker, Secretary
AECA MI/WI

Certified Mail Number: P140 777 009

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